

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ANGEL L. TORRES,

Plaintiff,

v.

Case No: 6:22-cv-1298-WWB-LHP

JIM ZINGALE, ANDREA
MORELAND, LISA VICKERS,
CLARK ROGERS, ANN COFFIN,
ANA SAAVEDRA, TIFFANY MOORE
RUSSELL, SUPPORT MAGISTRATES
OFFICE, STATE ATTORNEY'S
OFFICE, JUDITH ROMAN and
OFFICE OF CLERK OF COURT,

Defendants

ORDER

This cause came on for consideration without oral argument on the following
motion filed herein:

**MOTION: MOTION REQUEST FOR ENTRY OF CLERKS
DEFAULT AND ATTACHED PROOF OF SERVICE
AND AFFIDAVITS (Doc. No. 50)**

FILED: February 16, 2023

THEREON it is ORDERED that the motion is DENIED as moot.

Plaintiff's operative complaint has been dismissed and he has been permitted leave to amend. Doc. No. 54. Accordingly, the motion for Clerk's default related to the initial complaint is **DENIED as moot**. *Cf. Phoenix Ent. Partners, LLC v. Jellyfish, LLC*, No. 3:17cv929/MCR/GRJ, 2018 WL 10517181, at *1 (N.D. Fla. Apr. 12, 2018) (collecting cases for proposition that "federal district courts have consistently concluded that the filing of an amended complaint moots a previous entry of default and/or motion for default judgment"). The Court's Order to Show Cause (Doc. No. 39) is otherwise **DISCHARGED**. Plaintiff may renew his request for Clerk's default, as appropriate, in conjunction with the forthcoming amended complaint.

DONE and ORDERED in Orlando, Florida on April 24, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties